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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
RONALD DUNCAN, )  
 )  
Defendant. )

No. CR 05 0427 JSW

~~PROPOSED~~ ORDER AND STIPULATION  
EXCLUDING TIME FROM AUGUST 11,  
2005 TO OCTOBER 6, 2005 FROM THE  
SPEEDY TRIAL ACT CALCULATION  
(18 U.S.C. § 3161(h)(8)(A))

The parties appeared before the Court on August 11, 2005. The Court enters this order scheduling a further status hearing on October 6, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from August 11, 2005 to October 6, 2005. The parties agreed, and the Court found and held, as follows:

1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel and the government to discuss resolution of this case, and would deny the defendant continuity of counsel.

STIPULATION AND ORDER  
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2. Given these circumstances, the Court found that the ends of justice served by excluding the period from August 11, 2005 to October 6, 2005, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from August 11, 2005 to October 6, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. The Court scheduled a further hearing on October 6, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White, for either trial setting, motions setting or change of plea.

IT IS SO STIPULATED.

DATED: 8/12/05

/s/  
\_\_\_\_\_  
TRACIE L. BROWN  
Assistant United States Attorney

DATED: 8/12/05

/s/  
\_\_\_\_\_  
RONALD TYLER  
Attorney for Ronald Duncan

IT IS SO ORDERED.

DATED: August 19, 2005

  
\_\_\_\_\_  
THE HONORABLE JEFFREY S. WHITE  
United States District Judge